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UNDER ARTICLE 18 OF THE CONVENTION

Initial reports of States parties

NIGERIA

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INITIAL REPORT ON THE STATUS OF WOMEN IN THE FEDERAL REPUBLIC OF NIGERIA SUBMITTED PURSUANT TO ARTICLE 18 OF THE CONVENTION ON THE ELIMINATION OF DISCRIMINATION AGAINST WOMEN: OCTOBER 1987

Document CEDAW/C/7 of 11th August, 1985 has issued General Guidelines regarding the Form and Contents of Reports expected from State Parties under Article 18 of the Convention. The following Report is rendered in compliance with Part One of the Report as set out in that Document.

INTRODUCTION:

Nigeria, the most populous African Country, lies between latitudes 4 and 14 degrees north of the Equator and longitudes 3 and 15 degrees east of the meridian, and covers an area of 923,768.64 square kilometres. Nigeria is a heterogenous society with a large number of ethnic groups, each with its own language or dialect. Nigeria has an estimated population of about 100 million. The 1963 census figures indicate that there are about as many male as there are female Nigerians.

Consistent with the provisions of the Nigerian Constitution, the country operates a mixed economy, with the public sector competing in almost all fields of economic activities with a very dynamic private sector. In addition, the increasingly dynamic market economy exists side by side with a large traditional or subsistence economy. On the basis of global development indicators, Nigeria is classified among the middle income oil exporting developing countries. The economy has grown significantly since the country achieved political independence in 1960, twenty-seven years ago. Like most developing countries, Nigeria, as a primary raw material exporter, has suffered from the vagaries of international commodities markets.

The Federal Military Government of the Federal Republic of Nigeria ratified without any reservations the Convention on the Elimination of All Forms of Discrimination Against Women on the 13th of June, 1985 and in accordance with the provisions of Article 27.2, the Convention entered into force in Nigeria on 13th July, 1985. Since then, events taking place in the country have had considerable impact on the role of women in National Development. The purpose of this Initial Report, submitted in fulfilment of Nigeria's obligation under Article 18(1) of the Convention is to indicate the progress made and the measures taken towards the implementation of the Convention within these first 2 years of its entering into force in Nigeria.

PART ONE OF THE REPORT

GENERAL LEGAL, SOCIAL, ECONOMIC AND POLITICAL FRAMEWORK WITHIN WHICH NIGERIA APPROACHES ELIMINATION OF DISCRIMINATION AGAINST WOMEN WITHIN THE MEANING OF THE CONVENTION.

BACKGROUND-

The Traditional Role of Women

All over the world, the role of women in national development is determined by the socio-cultural environment of such society. Society's perception of women determines their status and place as well as the extent of their participation in nation building.

In the traditional African society, "the place of the woman was in the kitchen." Having been so perceived, women were relegated to the background and stereotyped in cetain roles. This stereotyped role of women was drummed into and accepted by women from childhood. The traditional role conception of women was a baby factory. Sooner or later, she was expected to raise children. Women's contribution to national development was in the area of child bearing. Women were, by custom, regarded as useful only for services at home and on the farms.

In Nigeria, as elsewhere in Africa, society has traditionally placed a high premium on the birth of male children. The preference for male children still lingers on in Nigeria, even among the highly educated middle-class families. Pervasive and entrenched attitudes die hard. In such a society, women were to be seen (if seen at all) but not heard. Brought up in such an environment, women were traditionally docile, subservient and powerless.

The long history of international contact with European traders, missionaries and explorers and the eventual colonisation by Britian gradually introduced western cultural values including religion and education to Nigeria. This association happily changed the face of things for the Nigerian woman.

At the present stage of our development, the Nigerian woman has gone beyond the stage of agitating generally for liberation or equal rights with her male counterpart. Nigeria has for long, but certainly since 1979 accepted the obligation to afford to women the same treatment as is afforded to men in all spheres of life, particularly in all the areas covered by the Convention. The Constitution of the Federal Republic of Nigeria 1979 (which is the current Constitution in force in Nigeria) contains a Chapter on Fundamental Rights and Freedoms stipulating the rights and freedoms guaranteed under the Constitution. Specifically, subsection (1) of section 39 of the Constitution provides-

"Right to freedom from discrimination.

39-(1) A citizen of Nigeria of a particular community, ethnic group, place of origin, sex, religion or political opinion shall not, by reason only that he is such a person-

(a) be subjected either expressly by, or in the practical application of, any law in force in Nigeria or any executive or administrative action of the Government, to disabilities or restrictions to which citizens of Nigeria of other communities, ethnic groups, places of origin, sex, religions or political opinions are not made subject, or

(b) be accorded either expressly by, or in the practical application of, any law in force in Nigeria or any such executive or administrative action, any privilege or advantage that is not accorded to citizens of Nigeria of other communities, ethnic groups, places of origin, sex, religions or political opinions."

Again, section 15(2) of the Constitution provides as follows-

"National integration shall be actively encouraged whilst discrimination on the grounds of place of origin, sex, religion status, ethnic or linguistic association or ties shall be prohibited."

Many similar provisions exist both in the 1979 Constitution and in several other legislations. Accordingly, there is not that general need to enact a separate municipal legislation to give the force of law to the provisions of the Convention. Admittedly, the Convention does not automatically become justiciable per se, but it is gratifying to know that its provisions may be pleaded in court to buttress any claim to any of the fundamental rights or alleging the infringement of such right guaranteed under the Constitution.

It now becomes pertinent to explain the perhaps unique references in divers sections of the Constitution to the phrase-

> "sectional barriers, sex, religion, status, ethnic or linguistic association or ties"

This is because Nigeria consists of a very large land space with so many tribes, linguistic and divers religious groupings. Accordingly, in addition to the age-old war of the sexes, the Nigerian woman may also be subjected to discrimination springing from one of the many mischievous categorisations to which section 15(2) of the Constitution quoted above has adverted.

Even before the launching of the International Decade for Women, successive Nigerian Governments have been committed to building an egalitarian society where every Nigerian, irrespective of age, sex or creed enjoys equal rights, the benefits and opportunities enshrined in the Constitution. Our social development policies and programmes have always been directed at the improvement of the quality of the life of the individual, irrespective of sex. Section 17 of the Constitution, among other things, provides-

> "Social Objectives. 17.-(1) The State social order is founded on ideals of Freedom, Equality and Justice.
>
> (2) In furtherance of the social order-
>
> (a) every citizen shall have equality of rights, obligations and opportunities before the law.
>
> (b) the sanctity of the human person shall be recognised and human dignity shall be maintained and enhanced."

With the signing and ratification by Nigeria in June 1985 of the Convention on the Elimination of All Forms of Discrimination Against Women, Nigeria has become even more determined to remove those obstacles which impede the participation of women in full National development efforts. Nigerian women on their own part, are set to examine more critically their roles to see how they have rather by default contributed to the relatively slow pace of their progress. With the establishment in 1984 of the National Committee on Women and Development and the efforts of the various women's societies under the umbrella of the National Council of Women's Societies, and Women In Nigeria (WIN), respectively, and also gladdened by the ratification of the Convention, Nigerian women are being urged to mobilise and come out in full force to claim the rights which already statutorily and constitutionally are theirs. The way has been smoothened for them. The Constitution and law of the country guarantees them equality of rights, liabilities and opportunities before the law. The women must not sit down by "still waters" and expect the apple to fall into their laps, as it were. They must "smite the living fountains" from the rocks along the way to full equality with men.

When Nigeria signed and ratified the Convention on the Elimination of all Forms of Discrimination Against Women on 13th June, 1985, without reservations she totally accepted the obligation to afford women the same treatment as is afforded men in all of the areas covered by the Convention. Nigeria also accepted to pursue by all appropriate means and without delay a policy of eliminating discrimination against women as required by Article 2 of the Convention.

For Nigeria, the foregoing undertaking does not call for any substantial constitutional or legislative changes for, as has been said on several occasions in the past, there are no statute-based discrimination against women in Nigeria. Happily the Constitution of the Federal Republic of Nigeria 1979 proved to be a great landmark in the nation's drive for equal rights for all citizens. The Fundamental Objectives and Directive Principles of State Policy and the Charter of Fundamental Rights contained in sections 13-14 of that Constitution show clearly Government's intention to safeguard the rights of all citizens alike. It is a strongly held view that the 1979 Constitution contains all that is required under the law to give the Nigerian woman exactly the same status as her male counterpart. The process that culminated with the 1979 Constitution has been gradual. In 1977, the last group of Nigerian woman, who had hitherto been denied the vote received the vote and participated in the Local Government elections of that year. Since then all Nigerian women have voted.

A. DEVELOPMENTS IN NIGERIA SINCE THE ENTRY INTO FORCE OF THE CONVENTION

The two years since the entry into force of the Convention has seen the actualisation by the 21 State Governments in Nigeria of the Federal Government's commitment to get women more involved in the running of the affairs of the country. Major-General Ibrahim Babangida, President, Commander-in-Chief of the Armed Forces of the Federal Republic of Nigeria has not only been vocal in his commitment to the ideals of the Convention but has taken action that leave no one in doubt as to the sincerity of his intention. Accordingly, the period under review has at the Federal Government level, seen the appointment of the first woman Vice-Chancellor of a Federal Government-owned University. Also, not long ago the first woman ever was appointed a member of the Federal Civil Service Commission and a woman was among the three High Court Judges appointed for the new High Court of the Federal Capital Territory, Abuja. Three new Permanent Secretaries joined the three serving female Federal Permanent Secretaries, the first of whom was appointed about a decade ago. A woman was recently appointed to the Federal High Court Bench and very recently, a woman was for the first time appointed as a Justice of the Court of Appeal. Many women have been appointed to the various State High Court Bench.

On the international scene, four female ambassadors were recently appointed. The Nigerian delegations to conferences have often included women and apart from those Nigerian women sponsored for election to international organisations exclusively catering for women's interests, like CEDAW AND INSTRAW, a Nigerian woamn was recently nominated and elected as the Vice-President of the International Institute of Arbitrators. At the States level, each State Government was directed by the Federal Government to include at least one woman in its Cabinet. This direction has been complied with and some States even have more than one female Commissioner in their Cabinets. Generally, female Commissioners are placed in charge of Ministries with functions related to women and children. Two States have women as their Attorneys-General while others assign the health Ministry to their female Commissioner. In one State, a woman is the Accountant-General. Another woman is the Solicitor-

General of a State. The period under review has seen the appointment in the Lagos State College of Science and Technology of a woman as its Rector.

B. INSTITUTIONS AND AUTHORITIES CHARGED WITH RESPONSIBILITY FOR ENSURING COMPLIANCE WITH THE PROVISIONS OF THE CONVENTION

Nigeria has been active in the implementation of programmes for the integration of women in development. Accordingly, in consonance with the recommedations of the World Conference of the International Women's Year, Mexico City 1975 and the Mid-Decade Conference in Copenhagen in 1980, the Federal Government of Nigeria established the National Committee on Women and Development in July 1982 and charged it with the responsibility to advise the Federal Government on all matters relating to women. With entry into force of the Convention in Nigeria, plans are underway to upgrade the National Committee on Women and Development to the status of a Bureau to equip it for the arduous task of redressing certain institutional imbalances that have prevented women from developing their potentials and so limited their participation in the national development efforts.

Because Nigeria is a Federation with a Federal Government and 21 State Governments, Women's Development Units have been set up at the Federal and State Ministries responsible for Women's Affairs and each such unit has been charged with the following functions:

(a) the examination and evaluation of the contribution of women to the various sectors of development in the light of national needs and priorities;

(b) the study of specific areas where women's participation should be initiated or strenthened;

(c) working with Government authorities at all levels and in close co-operation with women's non-governmental organisations for the promotion of the participation of women in the development of human resources for the community; and

(d) to service the States and National Committees on Women and Development by acting as a co-ordinating body and machineries for the full integration of women into national development.

In addition to these National, State and other machineries on women, any allegation of an infringement on the right of any person may be lodged in court which will in the normal course of its functions, adjudicate and determine the issue on the facts presented. In this regard, two female workers have had occasion to sue their employers for alleged discrimination. This matter will be discussed at the appropriate area of this Report. The Court in each of those cases found in favour of the plaintiff female employee.

Within the period under review, the Attorney-General of the Federation and Minister of Justice reversed the bureaucratic directive that allowed the Police to refuse women the right to take on bail any person in Police Custody. This directive the Attorney-General has declared to have no basis in law and that women should be allwed to take suspects on bail and bear any unpleasant consequence that may flow from that action.

Up until recently, the National Committee on Women and Development lacked the logistic support to enable it function effectively. However, the Federal Government recently approved the establishment of a division in the Ministry of Social Development, Youth and Sports to service the meetings and other business of the National Committee on Women and Development.

In addition, Government continues to subvent a number of nationally recognised non-Government Organisations, chief amongst which is the National Council of Women's Societies, which is the umbrella of most women's organisations. There are several other women's organisations, including an organisation known as Women In Nigeria, which are encouraged to carry out their programmes for women through self help and the patronage of the community at large. These efforts, if properly co-ordinated, will yield useful results to the benefit of women particularly those at the grassroot.

C. MEANS USED TO PROMOTE AND ENSURE FULL DEVELOPMENT AND ADVANCEMENT OF WOMEN IN ORDER TO GUARANTEE THEM THE EXERCISE AND ENJOYMENT OF HUMAN RIGHTS

The Convention specifically calls for consideration to be given in particular to the following issues as they affect women, that is-

(a) Political Rights

(b) Nationality

(c) Education

(d) Employment

(e) Health Care

(f) Marriage and the family

POLITICAL RIGHTS

Nigeria is a patriachial and very male-oriented society. Until the new Constitution was enacted in 1979, a large section of women in the vast Northern parts of the country were denied political rights. This state of affairs was actually entrenched in the earlier Constitutions. The 1979 Constitution, for the first time, included the provision that no person should be discriminated against on the basis of sex. In this regard, section 37 of the Constitution provides-

> "Every person shall be entitled to assemble freely and associate with other persons, and in particular, he may form or belong to any political party"

Accordingly, the right of all citizens of Nigeria, regardless of sex, to run for office and indeed to form political parties and associations is guaranteed by the Constitution. Over the years, as women become more exposed to education and experience in the professions, more women are offering themselves for elective offices and political appointments.

During the last civilian administration which ended in December 1983, there were female members in the House of Representatives and during the regime which came into being in September 1983 and ended in December 1983, there were three female members in the OUse of Representatives and one female senator. Women are widely involved in all aspects of government policy formulation and implementation.

Inspite of the above-mentioned breakthrough and laudable advancement of the Nigerian women towards the elimination of deiscrimination against her, a lot still remains to be done. True, there are no provisions discriminatory of women in our statute books, it is equally true that there are no enforceable laws that offer her soccour when she is discriminated aginst by customs, administrative directives and discriminatory religious practices. The real problem is that the Nigerian men and women alike are tardy about litigation. Otherwise it would

have been easy to test many more cases of discrimination in court. There are still no enforceable laws that protect against traditions, attitudes, customs, religion and illiteracy. Administrative directives have also had a great impact on the rights of women. To reap the benefits envisaged by the Convention, these factors should always be in perspective, for it soon becomes obvious that the assault on discrimination should not just be upon the legal but also upon what one writer call "extra-legal" factors.

Of equal or even greater importance is the issue of women's perception of themselves, their goals and their expectations. For whatever legislation is enacted, whatever social reforms are effected, only an enlightened woman who understands herself, knows her principles, her duties and the means to demand, enforce and execute them is in a position to reap the benefits and advantages. For as Franklyn S. Haiman stated in the preface to "Women and the Law"

> "Rights are not maintainable by words on a piece of parchment.....only an eternally vigilant people, informed of their privileges and immunities and willing to fight for them when threatened, will be able to preserve those liberties."

D. RESTRICTIONS, LIMITATION AND DIFFICULTIES AFFECTING THE EXERCISE AND ENJOYMENT OF RIGHTS BY WOMEN

Of great importance among the factors that contribute to or fuel discrimination is the women's perception of herself, her goals and expectations.

During a recent survey, respondents were asked to rate the factors of self-evaluation on a scale ranging from "Very important" to "Not at all important". The figure in the Table below shows the factors and their scale of importance.

The survey shows that quality of work, scored 68.62 per cent and having a good professional knowledge and initiative scored 53.8 per cent respectively, as being very important factors in women's career development and progress in an organisation. This is followed by loyalty to the organisation and obedience to regulations with 52.9 per cent respectively. Level of academic qualifications follows with 50.9 per cent of the respondents saying that it is very important and 39.0 per cent saying it is an important factor in promotion, salary increase and training opportunities.

On the other hand, the findings show that having friends at the top of the organisations have very little or no effect on women's career prospects. The survey shows 43.1 per cent of the respondents saying that to have friends at the top of the organisation is not all all important, 19.6 per cent say it is important, while 7.8 per cent claim it is very important in promotion and training opportunities. This is contrary to the popular belief that women use office romance to progress in their career. These findings confirm the statements that office romance does not often lead to a woman's progress.

Efforts are being made to publicise the findings of this survey in order to disabuse the minds of young women who may have the belief that office romance is a strong factor in career development or advancement.

TABLE

FACTORS THAT AFFECT WOMEN'S CAREER DEVELOPMENT/PROGRESS

	Very Important	Important	Slightly Important	Little Important	Not at all Important
1. Quality of work done	35	11	4	-	1
2. Quantity of work done	20	19	8	3	1
3. Opinion of Superior	21	25	5	-	-
4. Creativity ..	19	19	9	3	1
5. Seniority in the organisation ..	14	24	10	2	1
6. Having friends at the top of the organisation ..	4	10	6	9	22
7. Having a good professional Knowledge	30	14	5	2	-
8. Having Initiative	30	12	6	3	-
9. Loyalty to organisation	27	20	3	1	-
10. Obedience to regulations	27	19	3	2	-
11. Conformity	15	23	11	1	1
12. To have nice appearance ..	9	15	14	8	5
13. Level of Academic qualifications ..	26	25	3	2	-

MAJOR SETBACK IN THE APPOINTMENT OF WOMEN TO IMPORTANT POSITIONS

Another recent survey conducted to discover the factors that affect Women's Career Development and Progress shows that 89 per cent of respondents listed family commitments, e.g. child bearing and rearing, that is, frequent maternity leave and children's sickness which keep women away from their duties, as the major set back to their employment and career development.

Inadequate education and unwillingness to compete with men polled 29.4 per cent, and 9.8 per cent. Respondents listed general inefficiency, while another 9.8 per cent listed male chauvinism and psychological discrimination against women as bosses of men as a result of the "cultural heritage" of the Nigerian men. 1.96 per cent respondents ascribed the set back to a dearth of qualified and experienced women.

CULTURAL AND ENVIRONMENTAL CONDITIONS THAT AFFECT WOMEN's ADVANCEMENT POSITIVELY OR NEGATIVELY

The Survey referred to above also show that fewer respondents see the cultural environmental factors of political awareness, democratic rule, urban dwelling that widens women's horizon and the effects of the Oil boom with its liberal

economic opportunities as positive factors. Many others see the cultural/environmental condition as negatively affecting women's career opportunities. These factors may be summarised as follows-

(a) most women prefer to get married early with low qualification rather than furthering their education;

(b) most parents prefer to educate their sons than their daughters;

(c) the double burden of home and employment leaves women with little time to devote to themselves;

(d) inadequate infrastructures that frustrate women, e.g. electricity, water, trasportation;

(e) family commitments that hinder women's progress at work.

STRATEGIES AS TO FACILITATE THE ADVANCEMENT OF WOMEN

Respondents to the Survey suggested that-

(a) women should organise themselves into groups to fight exploitation by men and should build day-care centres close to their places of work for the care of their children during working hours;

(b) women should show more interest and participate more actively in politics as a positive way to express their needs and desires;

(c) women should exhibit self-discipline, self-respect and de-emphasise their feminity;

(d) they should fight and expose sexual harassment at work;

EFFECT OF PREGNANCY AND MATERNITY ON WOMEN'S CAREER PROSPECT

The Survey shows that pregnancy and maternity leave retard women's career progress. A total of 83.3 per cent of the respondents stated that no organisation will knowingly employ a pregnant woman or send her on a training course. It was further stated that when it comes to promotion, a woman who has gone on maternity leave is deemed to have worked for just half (or less) of the year and she is unlikely to be recommended for promotion. On the other hand, 15.7 per cent of the respondents claimed that pregnancy and maternity leave have no effect on a woman's career progress on prospect.

PRIMARY AND SECONDARY ROLE OF WOMEN

The Survey showed that 98 per cent of the respondents listed child bearing and child rearing and other matrimonial obligations as the primary role of women while any contribution to the family income through employment is considered their secondary role. On the other hand, 2 per cent of the respondents claimed that women's primary role is to develop their career, while motherhood is secondary.

The survey therefore brought to the limelight the fact that the fulfilment of women's natural roles have to a great extent had an adverse effect on their career progress. 27 per cent of the respondents argued that the roles should have no effect whatever on women's progress as the fulfilment of those roles is only natural and obligatory on women irrespective of the job requirement. They further argued that fulfilling the role is only a weapon used by organisations to down-grade women.

CONCLUSION

Nigerian women have come a long way from the shackles of tradition where even parents were almost ashamed at the birth of a female child. Nigerian women have made their marks in many occupations. The laws of Nigeria have given adequate protection to the rights of women in society, including their rights to equal educational opportunities and employment. The Nigerian woman has not always enjoyed equal rights with men but in the last few years attempts have been made to give redress. Many obstacles have been in the way. Inspite of suffrage, inspite of the constitutional provisions guaranteeing equal rights, women are still far from fully securing them. The public sector enterprises have provided the impetus which has shot Nigerian women to their present height. In the private sector, one notices that only women outside the child bearing age are accorded recognition or appointed to senior management positions. Though women have competed favourably with men in the quality of their contribution to national development in public and private enterprises through their employed positions, they still lag far behind the men in numbers. The achievement of the full potentials of Nigerian women requires continuous co-ordinated efforts and the commitment of government, the public and private sector enterprises, as well as the women themselves.

Articles 1 and 2

Definition of the phrase "Discrimination Against Women."

Notwithstanding that the Nigerian Constitution uses the term "Discrimination based on Sex" rather than "discrimination against women", as in the text of Article 1 of the Convention, there is no controversy that the relevant sections where that construction is used respectively seek to protect women from discrimination merely on account of the fact that they are women. This is so because, Nigeria being as male-oriented as it is, no man has ever seriously raised the issue that he is being discriminated against. The Constitution in sections 15(2) and 39(1) and (2), which have been acclaimed to be a milestone for the Nigerian womanhood was inserted to cure that imbalance. Earlier Constitutions did not mention "sex". All other rights have since flowed from that constitutional guarantee. The equality of right guaranteed under the fundamental objectives in sections 13 - 22 of the Constitution, covers all women irrespective of their marital status and other considerations. In this regard, section 15(2) of the 1979 Constitution provides as follows:-

> "Accordingly, national integration shall be actively encouraged, whilst discrimination on the grounds of place of origin, sex, religion status, ethnic or linguistic association or ties shall be prohibited."

In this regard, it is right to advert to the provisions of the Constitution relating to citizenship (sections 23 - 28) which while according equal citizenship rights to both men and women and equal rights to children claiming citizenship from Nigerian men or women alike, also contain favourable terms relating to permanent residence in the case of those alien women married to Nigerians who do not intend to renounce their maiden citizenship and also make soft-term provisions for those alien women married to Nigerian men who so desire to acquire Nigerian citizenship. No such corresponding provisions exist for alien men married to Nigerian women.

Other examples of laws more favourable to Nigeria women exist.

Again, it is right to reproduce again the provisions of section 39 of the Constitution which specifically decree against discrimination. It states:-

> "Right to freedom from discrimination.
>
> 39.-(1) A citizen of Nigeria of a particular community, ethnic group, place of origin, sex, religion or political opinion, shall not by reason only that he is such a person-
>
> (a) be subjected either expressly by, or in the practical application of any law in force in Nigeria or any executive or administrative action of the government to disabilities or restrictions to which citizens of Nigeria of other communities, ethnic groups, places of origin, sex, religions or political opinions are not made; or
>
> (b) be accorded either expressly by or in the practical application of any law in force in Nigeria or any such administrative or executive action, any privilege or advantage that is not accorded to citizens of Nigeria of other communities, ethnic groups,

places of origin, sex, religions or political opinions.

(2) No citizen of Nigeria shall be subjceted to any disability or deprivation merely by reason of the circumstances of his birth."

Article 3 - Legislation

As stated earlier on in this Report, the legal status of the Nigerian woman is, on the face of it, enviable. The Nigerian woman has gone beyond the stage of agitating for equal rights with her menfolk becuase no discriminatory laws against her exist in the statute books of the country. The Constitution of the Federal Repuboic of Nigeria 1979 not only guarantees full equality between men and women with regard to their rights, obligations and benefits, the Constitution specifically prohibits discrimination on ground of sex and provides the instrument for the enforcement of those rights and obligations. As citizens, women are entitled to all the fundamental human rights guaranteed in the Constitution and can often challenge in court any attempt by any person to interfere with the exercise of any of those rights. Admittedly, since December 1983, Nigeria has again come under Military rule. The return of the Military to the politcal scene has done nothing to alter the favourable position of women before the law. As a matter of fact, the Federal Military Government on the assumption of power in 1983 directed the inclusion of at least one woman as a Commissioner (Minister) in all the Cabinets of the then 19 State Governments. The Federal Military Government itself appointed two more female Permanent Secretaries and a female Commissioner of Police.

This gesture is laudable, considering that it is the first of such directive in the history of Nigeria and it has become the spring-board of many high-level appointments for women. No laws are specifically directed against women. All laws are applicable with equal force to the entire populace, men and women alike. Legislative provisions are, unhappily, not always matched with adequate enforcement measures. The application of certain laws, certain bureaucratic directives and decisions, coupled with ingrained attitudes, behaviours and customs have worked to install practices the combined effect of which is to discriminate against women and abridge their legal rights and access to otherwise commonly-owned resources. This in turn prvents the full participation of women in the enjoyment of the commonly-owned benefit-economic, political and social development processess, an effect which could not have been intended by the legislature. In this regard, a discriminatory administrative directive, which does not have its roots in any legislation, was ordered to be revoked.

Article 4 - Special and Temporary Measures

Article 4 recommends the adoption of special temporary measures to eliminate discrimination against women. This article does not have much application in Nigeria. In this regard, it is necessary to spotlight those areas where the Nigerian woman enjoys greater advantage than the men.

These can be found in the area of female school enrolment and in the adult literacy and vocational education programmes. In the employment sector, policy directives have been used to ensure equal opportunity for both men and women and also to encourage the private sector to accord to women equal access to job opportunities.

Article 5

This Article enjoins States Parties to take all appropriate measures-

> (a) To modify the social and cultural patterns of conduct of men and women, with a view to achieving the elimination of prejudices and customary and all other practices which are based on the idea of the inferiority or the superiority of either of the sexes or on stereotyped roles of men and women;
>
> (b) To ensure that family education includes a proper understanding of maternity as a social function and the recognition of the common upbringing and development of their children, it being understood that the interest of the children is the prioriodial consideration in all cases.

This article is a difficult one to translate into action. At best perhaps this Article should be seen as inviting States to do all that is possible to remove prejudices against women, perhaps legislate against cultural and traditional practices which discriminate against women and which encourage the stereotyped roles of men and women respectively.

Nigeria is a country deeply steeped in tradition in certain parts of it. In the purely traditional society, the woman is subjugated in marriage, in divorce and in widowhood. In widowhood she forms part of the man's personal property to be inherited. However, with greater education and with Government's attitude, things have somewhat changed for the educated women but the rural traditional woman is yet, to reap these benefits. Oddly enough, these customary practices and prejudices were actually fuelled and legalised by statute. For example the 1963 Constitution provided in section 19 as follows:-

> "Inhuman treatment
>
> 19.-(1) No person shall be subjected to torture or to inhuman or degrading punishment or other treatment.
>
> (2) Nothing in this section shall invalidate any law by reason only that it authorises the infliction in any part of Nigeria of any punishment that was lawful and customary in that part of Nigeria on 1st day of November 1959."

However, the 1979 Constitution contains no such provision as section 19(2) above.

Section 31 of the 1979 Constitution, which corresponds to s.19 of the 1963 Constitution provides:-

> Right to dignity of the human person.
>
> 31.-(1) Every person is entitled to respect for his human person and accordingly-
>
> (a) no person shall be subjected to torture or to degrading or inhuman treatment."

Attitudes die hard. Therefore, the complete demolition or deprogramming of cultural attitudes, prejudices and unconstitutional customary practices must necessarily be a slow process. Hopefully, as the society becomes more educated and enlightened, the practices will wither and finally die.

Maternity function: Social and Cultural Patterns of Conduct.

> Maternity- child bearing and child care is patently a woman's business in Nigeria. She is granted maternity leave prior to confinement and she is granted 6 weeks after childbirth to take care of the child. For a period of 6 months after childbirth, she knocks off work one hour before usual closing time for breastfeeding. It is inconceivable that the Nigerian man would ever apply for maternity or paternity leave. Men support the home financially, provide the father-figure in the home, instal discipline, etc. They accept joint responsibility generally but they do not share the responsibility of child care to the extent of asking for or obtaining maternity leave for that purpose.
>
> The issue of paternity leave has never arisen in Nigeria and it is sincerely doubted that it ever will.

Nigerian families have the greatest interest in the welfare of their children. They will go to all lengths and suffer personal deprivations to ensure the welfare of their children.

Article 6 - Prostitution

This article in effect invites all States Parties to take appropriate measures to suppress prostitution.

In the interpretation of this Article, there are 2 schools of thought. One school believes that the Article intends to legislate against prostitution per se, while the other school holds that it is intended to deal with the traffic in women and the exploitation of prostitution.

It would appear that existing Nigerian law in the main deals with the exploitation of prostitution. It is silent on engaging in prostitution.

Under the Criminal Code of Nigeria, there are extensive provisions against those who encourage the prostitution of girls under 16 years, against those who allow persons under 16 to be in brothels, those who procurepersons who trade in prostitution (illegal traffic), those who keep brothels, unlawful detention with intent to defile or defilement and detention in a brothel.

Except that the existing legislation does not address the issue of prostitution per se, their provisions are far-reaching enough particularly in the protection of young girls.

Notwithstanding that there is no specific law making prostitution an offence, in practice one notices that the police and law enforcement agents often raid brothels and other known operational bases of prostitutes. They are often arrested and sometimes taken to court, perhaps charged with soliciting and punished as provided by law.

Article 7 - Political and Public Life

This article requires that States Parties shall take all appropriate measures to eliminate discrimination against women in the political and public life of the country and ensure to women on equal terms, right-

(a) to vote in all elections

(b) to participate in the formulation of government policy;

(c) to participate in non-governmental organisation....concerned with the public and political life of the country.

Political Rights

Until the new Constitution was enacted in 1979, a large section of women in the vast Northern parts of the country were denied political rights. This state of affairs was actually entrenched in the earlier Constitutions. The 1979 Constitution, for the first time, included the provision that no person should be discriminated against on the basis of sex. In this regard, section 37 of the Constitution provides-

"Every person shall be entitled to assemble freely and associate with other persons, and in particular, he may form or belong to any political party"

Accordingly, the right of all citizens of Nigeria, regardless of sex, to run for office and indeed to form political parties and associations is guaranteed by the Constitution, subject to certain statutory or constitutional restrictions which are of general application. Over the years, as women become more exposed to education and experience in the professions, more women are offering themselves for elective offices and political appointments.

During the last civilian administration which ended in December 1983, there were female members in the House of Representatives and during the regime which came into being in September 1983 and ended in December 1983, there were three female members in the House of Representatives and one female senator. Women are widely involved in all aspects of government policy formulation and implementation. A few months ago the National Electoral Commission was constituted. It is a body to steer the country from military to civil democratic rule. A woman is among the 4 members. Similarly, the political Bureau that inquired into and recommended the most appropriate political system for Nigeria had 2 female members.

Inspite of the above-mentioned breakthrough and laudable advancement of the Nigerian women towards the elimination of discrimination against her, a lot still remains to be done. True, there are no provisions discriminatory of women in our statute books, it is equally true that there are no enforceable laws that offer her soccour when she is discriminated against by customs, administrative directives and discriminatory religious practices. The real problem is that the Nigerian men and women alike are tardy about litigation. Otherwise, it would have been easy to test many more cases of discrimination in court. There are still no enforceable laws that protect against traditions, attitudes, customs, religion and illiteracy. Administrative directives have also had a great impact on the rights of women. To reap the benefits envisaged by the Convention, these factors should always be in perspective, for it soon becomes obvious that the assault on discrimination

should not just be upon the legal but also upon what one writer calls "extra-legal" factors.

Of equal or even greater importance is the issue of women's perception of themselves, their goals and their expectations. For whatever legislation is enacted, whatever social reforms are effected, only a woman who understands herself, knows her principles, her duties and the means to demand, enforce and execute them is in a position to reap the benefits and advantages. For as Franklyn S. Haiman stated in the preface to "Women and the Law"

> "Rights are not maintainable by words on a piece of parchment.....only an eternally vigilant people, informed of their privileges and immunities and willing to fight for them when threatened, will be able to preserve those liberties."

Article 8

This article enjoins States to afford to women the opportunity to represent their Governments at international level and to participate in the work of international organisations.

As has been stated earlier, there is no conscious discrimination against women in this regard. Nigerian Delegations to international conferences often include women who are conversant with the workings of the organisation concerned or with the topics of the agenda.

The number of women representing Nigeria is steadily increasing. Recently 4 new ambassadors were appointed to represent Nigeria abroad. The Permanent Secretary in the Ministry of External Affairs is a woman. Nigeria's successive representative in UNESCO, Paris, over a period of years now has been a woman. Nigeria is represented on the United Nations Civil Service Committee by a woman. The list is unending.

It is again hoped that with time, the number of women on the international scene will increase.

Article 9 - Nationality and Citizenship

Article 9 requires that States Parties should grant to women equal rights with men to acquire, change or retain their nationality. In particular, States Parties should ensure that neither marriage to an alien nor change of nationality by the husband during marriage shall automatically change the nationality of the wife, render her stateless or force upon her the nationality of the husband. It further requires that States shall grant to women equal rights with men with respect to the nationality of their children.

Citizenship Rights of Women-In Nigeria, no discrimination of any kind exists against women under the 1979 Constitution in relation to citizenship or nationality rights. There is no distinction between a person who claims his Nigerian citizenship from his mother or his father, or indeed from any of his grandparents. However, under section 24 and 25 of the Constitution, while an alien woman married to a Nigerian man as such can apply for and obtain Nigerian citizenship by registration or naturalisation, an alien man married to a Nigerian woman does not have any such corresponding right.

In addition, an alien woman married to a Nigerian man who does not wish to renounce her citizenship of birth in favour of the Nigerian citizenship may under regulations made pursuant to section 29 of that Constitution, be granted special immigrant status with full residential rights.

Dual Citizenship-Nigerian law does not recognise dual citizenship. Accordingly, any Nigerian citizen who acquires or retains the citizenship or nationality of another country shall immediately forfeit his Nigerian citizenship. Also, no foregner can acquire Nigerian citizenship by registration or naturalisation unless he first also renounces the citizenship of that other country. It should be stated that a Nigerian woman who marries a foreigner does not merely by that marriage forfeit her Nigerian Citizenship; but she shall so forfeit it if she takes steps to acquire full citizenship status of that other country or renounce her Nigerian citizenship.

Domicile-In accordance with prevalent Private International Law, in Nigeria, the domicile of a person is either that of origin, which is dependent on that of his parents or domicile of choice, being a place where the person concerned regards as his home. The domicile of a married woman under Nigerian law is determined by the Matrimonial Causes Act 1970. That Act under section 2(2) constituted Nigeria into one jurisdiction for the purpose of instituting a Matrimonial Cause. For this purpose, the High Court of any State shall have jurisdiction to hear and determine specified matrimonial causes. It is gratifying to note that under section 2(3) of the Matrimonial Causes Act 1970, a Nigerian woman need not institute her proceedings in the domicile of her husband. Indeed, she may institute such proceedings in any High Court in the country whether or not her husband lives within the jurisdiction of that Court or indeed, whether she herself lives within the Court's jurisdiction. This is a laudable departure from existing law and practice regulating a woman's domicile.

Article 10 - Education

This Article invites States Parties to take all appropriate measures to eliminate discrimination against women in order to ensure to them equal rights with men in the field of education.

The introduction of Western education and religion opened up wide horizons for Nigerian women. However, the impact of this was not equally felt in every corner of the territory which now constitutes Nigeria. With its size and heteregenous culture and religion, it is difficult to subject her to valid generalisations of whatever kind. There have been understandable disparities in the acceptance and adoption of western values, including education. In the coastal parts of Nigeria through which the influence of western civilisation enterned the country, girls were being sent to school even in the 1930's. Educational facilities of any type were then very few and the number of girls attending schools was small. As educational facilities increased, an increasing number of girls was sent to school. But the choice of education has usually been influenced by traditional attitudes so much so that even today in spite of the progress made in the education of women and the constitutional guarantee of equal opportunities to education, girls are under-represented in almost every subject area, and particularly in the sciences.

Recognising the crucial role of education in economic development and social transformation, successive governments in Nigeria have given a high priority to education in resource allocation. Increased resource allocation has resulted in a phenomenal rise in educational institutions, facilities and

student enrolment. Table 1 shows the trend in enrolment in all levels of education in Nigeria between 1975 and 1980.

TABLE 1

TOTAL ENROLMENT IN EDUCATIONAL INSTITUTIONS (ALL LEVELS) 1975-80

LEVEL	YEAR				
	1975-76	1976-77	1977-78	1978-79	1979-80
Primary ..	5,950,296	8,242,060	984,383	11,457,772	12,749,403
Secondary ..	704,917	832,154	1,007,902	1,159,401	1,557,877
Teacher Training	123,627	148,178	183,724	204,374	247,478
Colleges of Technology and Polytechnics	11,993	17,452	19,880	29,829	35,777
Universities ..	31,511	38,877	41,417	45,201	57,772

Source: Fourth National Development Plan, 1981-85, pages 264-9.

Regrettably, the enrolment figures in the above table are not disaggregated to show the trends in the enrolment of male and female students at all levels of education in Nigeria. Be that as it may, it can be said without much controversy that with the introduction of the Universal Free Primary Education scheme in the 1950s, and the massive public investment in education since 1960, education is no longer the preserve of a particular sex. At the primary and secondary education levels, female student enrolment does not lag too far behind male student enrolment. In 1975, for instance, the school enrolment ratio for female students (ages 6-11 years) was 32 per cent, while that of students (ages 12-17 years) was 14 per cent of total student enrolment for the respective age groups.

The number of higher institutions of learning in Nigeria has grown rapidly since 1960. For instance, the number of universities has grown from 1 in 1948 to 30 in 1983. The Universities are supplemented by about equal numbers of Polytechnics, Colleges of Technology and Colleges of Education respectively. Student enrolment in these higher institutions has also grown correspondingly. Univeristy student enrolment has grown from 6,707 in 1964-65 to 57,772 in 1979-80 and 82,952 in 1981-82. Female student enrolment was 15.9 per cent in 1975-76 and 27.96 per cent in 1981-82.

The distribution of university student enrolment by faculty and sex is presented in Table 2.

TABLE 2

DISTRIBUTION OF STUDENTS BY FACULTY AND SEX 1977-78

Field	Male	Female	Total	Female as % of total
Administration ..	1,907	208	2,115	9.8
Arts	3,699	676	4,375	15.5
Arts and Social Science	2,540	185	2,725	6.8
Education	7,392	1,471	8,863	16.6
Law	1,761	461	2,222	20.7
Pure Science ..	5,487	587	6.074	9.7
Social Science ..	4,875	458	5,333	8.6
Medicine, Pharmacy and Nursing ..	5,266	530	5,796	9.1
Engineering ..	3,119	73	3,192	2.3
Environmental Studies	1,138	119	1,255	9.5
Agriculture, Forestry and Veterinary ..	3,186	157	3,343	4.7
Correspondent and Open Studies ..	665	60	725	8.3
Basic Studies ..	1,797	97	1,894	5.1
TOTAL	42,830	5,085	47,915	10.6

Source: Federal Office of Statistics, Social Statistics in Nigeria, 1979 Lagos 1981.

The field of education and level of attainment determine for the most part, the extent of female participation in national development. Table 2 reveals the prospective occupation preferences of university educated Nigerian Women. The most popular or preferred academic faculties were Law, Education and Arts, where female students accounted for 15 to 21 per cent of total student enrolment in those fields. These were followed by Administration, Pure Science, Environmental Studies and Medical Sciences where female students accounted for only 9 to 10 per cent of total enrolment in those fields.

Data are not readily available on the enrolment and distribution by faculty and sex of students in the Polytechnics, Colleges of Technology and Colleges of Education. However, students attending the Colleges of Education, majority of whom are female, are prepared for the teaching profession. Data obtained from the country's premier college of technology (Yaba College of Technology) for 1981 show that female students constituted 15.7 per cent of total enrolment. The female students also prefer the Humanities, (13%) to the sciences (8.7%).

Over the years, there has been a dramatic shift in pervasive and deeply entrenched attitude towards women's education in Nigeria. The welcome shift in previously prevailing negative attitude towards women's education has provided access to formal education for girls on an equal basis with boys. Formal Education is no longer considered as being superflous in the preparation of women to be good wives and mothers. The tendency to keep girls at home to help their over-burdened mothers with house and farm work has practically disappeared.

NATIONAL POLICY ON EDUCATION

The Nigerian National Policy on Education makes only one reference to women's education, and that it as follows:

> "With a view to correcting the imbalance between...the number of boys and girls in formal education and with particular regard to women's education, special effort will be made by Ministries and Local Government

Authorities in conjunction with Ministries of Community Development and Social Welfare and of Information, to encourage parents to send their daughters to school."

However, the absence of further specific reference to women's education in the National Policy on Education does not stem from lack of concern about women's education but on account of the fact that there is adequate constitutional and policy guarantee of non-discrimination in education. In this regard, section 18 of the 1979 Constitution provides as follows-

"Educational Objectives

18.-(1) Government shall direct its policy towards ensuring that there are equal and adequate educational opportunities at all levels.

(2) Government shall promote science and technology.

(3) Government shall strive to eradicate illiteracy; and to this end Government shall as and when practicable provide-

(a) free, compulsory and universal primary education;
(b) free secondary education;
(c) free university education; and
(d) free adult literacy programme."

WOMEN'S PARTICIPATION IN THE LABOUR FORCE

Africa has, by far, the highest proportion of economically active women in the world. For instance, in 10 out of 42 surveyed countries, women's participation rate exceeded 45 per cent and comes close to the male participation rate of 46-62 per cent. In 1970, Nigerian women had a participation rate of 32.37 per cent only. An ILO 1970 survey gave the indication of economically active female population in Nigeria by age as shown here in Table 3.

TABLE 3

ECONOMICALLY ACTIVE FEMALE POPULATION BY AGE 1970

Age Group	Participation Rate %
10 - 14 years	15.3
15 - 19 years	43.46
20 - 24 years	50.54
25 - 44 years	58.99
45 - 54 years	68.10
55 - 64 years	60.54
65±	38.34

Source: ILO, Labour Force Estimates.

Between the ages of 20 and 65, Nigerian women's participation rate in economic activities as a percentage of total population of the age group is extremely high. Women's activities in the agricultural sector definitely accounts for the very high participation rates. Over 67 per cent of the Nigerian population is predominantly rural and majority of them are farmers.

Table 4 shows the distribution of the Nigerian labour force by age and sex based on the 1963 census figures, the current census figure in usein Nigeria.

TABLE 4

DISTRIBUTION OF THE LABOUR FORCE BY AGE AND SEX

Age Group	Total	Male	Female	Female as % of Labour Force
15-19	1,932,252	1,404,183	528,061	27.3
20-24	3,66,148	2,704,397	961,759	26.2
25-34	6,049,272	4,535,868	1,513,404	25
35-44	3,333,864	2,507,676	736,188	22
45-54	1,693,198	1,335,924	357,275	21
55-64	897,090	699,652	197,138	20
65-74	405,679	324,216	81,463	20
75±	346,332	284,850	61,482	17

Source: Nigeria Handbook 1982, p.296

The Nigerian labour force is relatively young, as half of it are in the 20-35 year age-group and about 80 per cent is less than 45 years old. The labour force dropped significantly after the age of 54 years, reflecting the then prevailing compulsory retirement age of 55. The retirement age has since been raised to 60 years in the public sector, except for High Court Judges who retire at 65. The figures in Table 4 are out of date in view of the general development in the economy and the expansion of educational facilities over the past two decades.

The cultural diversity of Nigeria referred to earlier has had considerable impact on women's direct participation in economic activities. The pattern of female employment or involvement in the labour force varies in different parts of Nigeria, and particularly from north to south. In the south, women have traditionally contributed to meeting some of the basic needs of their families. They engage in basic crafts, trading and paid employment, and have always been economically active and relatively independent. In the north, women were often secluded.

A study in 1977 by the National Manpower Board showed that women were employed in almost all fields of occupation. However, they accounted for not much more than 5 per cent in most occupational categories. Women's participation was significantly high in such occupational categories as nursing, librarianship and archivists, confidential secretaries, stenographers, clerical and executive officers.

In the field of higher education, Nigerian women have made immense contributions. As at April 1977, there were 4,864 lecturers in 12 Nigerian Universities, 6.14 per cent of whom were women. The distribution of Nigerian University Lecturers by academic discipline and sex is shown in Table 5.

TABLE 5

LECTURERS IN 12 NIGERIAN UNIVERSITIES
AS AT APRIL 1977

Academic Discipline	Male	Female
Arts	257	46
Education	250	35
Law	84	1
Sciences	638	31
Medical Sciences	546	54
Social Sciences	417	13
Engineering	259	-
Environmental Studies	53	13
Management Studies	105	4
Agriculture	539	25

The distribution of lecturers by sex and discipline is consistent with the occupational preferences of the female university students earlier discussed in this Report. In the fields of Environmental studies, Education, Arts and Medical Sciences, women accounted approximately for between 10 and 20 per cent of the faculty members.

In the Polytechnics and Colleges of Technology, 12 per cent of the teaching staff were female and distributed by discipline as in Table 6.

TABLE 6

DISTRIBUTION OF TEACHING STAFF BY SEX
IN TECHNICAL AND OTHER COLLEGES

COLLEGES OF TECHNOLOGY	MALE	FEMALE
Lecturers in Engineering	196	9
Lecturers in Environmental Studies ..	36	3
Lecturers in Sciences	256	36
Lecturers in Management Studies ..	114	23
Lecturers in Social Sciences	36	7
Lecturers in Arts	79	26
Instructors	57	8
Lecturers in Agriculture	67	4
TOTAL	841	116
Advanced Teachers' and Technical Colleges ..	447	88
Secondary School Teachers and Teacher Training Colleges	14,379	3,331
Trade Centres and Technical Schools ..	879	101
	15,705	3,520
	16,546	3,636

Out of the Nigerian teaching staff in the Advanced Teachers' and Technical Colleges, about 16 per cent were female. In Secondary Schools and Colleges of Education (teachers colleges) about 19 per cent of the teaching staff were female, whereas in the Technical schools and Trade Centres, women Instructors accounted for about 10 per cent of the teaching staff.

CONCLUSION

Until about 20 years ago, some 85 per cent of girls left school at the age of 15.

Today, the story is different. Even though the average first school leaving age has dropped to about 16 years, many girls stay at school well after that age.

Article 11 - EMPLOYMENT AND LABOUR

Under this Article, States shall take all appropriate measures to eliminate discrimination against women in the field of employment.

EMPLOYMENT

Although women tend to marry younger, more married women stay at work even during their child-bearing age. Women's working lives have thus been transformed. Women are now in a position to be regarded as reliable permanent employees filling skilled and reliable positions. However, the attitude to women's employment, both by employers and society as a whole (including women themselves) has failed to adjust adequately to this new situation. It is true that the employment policy of the Federal Government of Nigeria guarantees that women have the same right of entry as men to practically all public offices, administrative posts and the professions and that overt sext discrimination in pay has been almost eliminated from the public service, there still remain a large disparity between the average earnings and career prospects of men and women in industry commerce and even in the public service. Part of the differences in pay may be attributable to heavy taxation imposed on women's earnings, disparate leave and other allowances payable to women, and the type of occupations and the shorter hours during which women work in the industries. Again, women do not always have the same chance as men of training for skilled work or for promotion. Women are poorly represented in the decision-making cadres. A number of factors, including the calls made on women's time and energies by motherhood and the care of children partly explain these differences. The most widely accepted explanation however lies in discrimination by employers.

GOVERNMENT EMPLOYMENT POLICIES

The labour legislations of Nigeria are non-discriminatory. Some of those legislations even have provisions to protect and safeguard the interest of women in employment. Sections 53 and 57 of the Labour Act 1974 provide for the security of women's employment during confinement. Accordingly, it was in the enforcement of this right that two cases were founded. One of the cases is that of-

Ajiboye V. Dresser Nigeria Ltd. In this case, the plaintiff, a confidential secretary employed by the Defendant company proceeded on maternity leave with the approval of the Company. But on resumption, her appointment was terminated, whereupon she sued the company and the Court found that she was infact dismissed on account of her pregnancy and confinement. The dismissal was therefore held to be a breach of section 53 and of the Labour Act (which relates to maternity protection).
Certain sections of the labour legislation seek to protect women from harzards. Interpreted in practice, such sections are always applied to their disadvantage. In this wise, section 54 of the Labour Act 1974, prohibits the employment of women in night work in a mine, in any public or private undertaking or in agriculture. The result is that any job which involves night shift or working underground is denied to a woman with the result that in the industrial and manufacturing sector, promotion opportunities in particular areas of work for women are limited.

TAXATION

Closely related to employment is the issue of taxation. Certainly, the tax legislation and tax administration policies are heavily weighted against women. A married woman is hardly ever given any free pay allowance. This is usually justified on the ground that men traditionally bear the responsibility of looking after the family financially. This is not always true as women's financial commitment have continued to increase. Women have responsibility not only to their nuclear family but also to their maiden families, not to mention the need to take care of themselves.

ROLE OF PUBLIC SECTOR

As already stated in the preceding sections of this paper, the principle of equality of all citizens is enshrined in the Nigerian Constitution. Nigeria has subscribed to all major international conventions on the status and conditions of employment of women. There is ample legal protection for women's right in Nigeria. In addition to the general guarantee of the right to freedom from discrimination, the Constitution states, inter alia as follows:

> Social Objectives. 17.(1) The State shall direct its policy towards ensuring that-
>
> (a) all citizens without discrimination on any ground whatsoever have the opportunity for securing adequate means of livelihood as well as adequate opportunities to secure suitable employment;
>
> (b) conditions of work are just and humane;
>
> (c) there is equal pay for equal work without discrimination on account of sex, or on any other ground whatsoever;

Consistent with the provisions of the Constitution, the public sector provides the impetus for equal employment opportunities for women. In the Nigerian public sector, appointment procedure and the general conditions of service are the same for men and women; and apply equally in all public enterprises subject to minor modifications where necessary. Individual public enterprises do not take independent action in favour of or prejudicial to their women employees. Any action relating to the conditions of service of public enterprises employees must be within the broad guidelines provided by the Federal Government.

PERSONNEL POLICIES

In the area of personnel policies (governing recruitment, employment, promotion, etc.) public enterprises are governed by the Federal Government Civil Service Rules, as revised from time to time. The existing rules make specific provisions covering women employees, some of which rules can be interpreted as discrimination in reverse. Many of such rules relate to pregnancy and can be summarised as follows:

> Pregnant women employees are entitled to 3 months (six weeks before and six weeks after confinement) maternity leave with full pay.
>
> A woman employee nursing a child is entitled to one hour off duty everyday for six months with

full pay from the date of birth of the child;

A disciplinary action cannot be taken against a woman employee during her maternity leave.

The public enterprise cannot do anything about the benefits other than grant them. The women employees enjoy 15-20 weeks work-free period with full pay in recognition by society of women's special role as mothers. These benefits nothwithstanding, female employees in the public sector can still identify areas where existing rules or their application and interpretation discriminate against them.

It has been estimated that 60 per cent of the labour force is employed in the public sector while 40 per cent work in the private sector. One out of every eight employees is female. Table 7 shows the distribution of total employees by sex and type of employer in 1980

TABLE 7

DISTRIBUTION OF TOTAL EMPLOYEES BY SEX AND TYPES OF EMPLOYERS: ALL STATES 1980

Types of Employer	Male	Female	Total	Female as % of Total	% Male share of employees
Federal Government (Civil Service) ..	104,099	22,468	188,567	13.7	17.4
Federal Government (Corporations) ..	93,715	16,059	109,771	14.6	10.8
State Governments (Civil Service) ..	159,717	33,631	103,348	17.4	19.0
State Governments (Corporations) ..	51,112	9,520	63,632	15.0	6.3
Local Governments ..	53,225	9,571	62,796	15.2	6.2
Private Sector ..	366,718	42,504	409,222	10.4	40.3
TOTAL	881,586	133,753	1,015,339	13.2	100.0

Source: Federal Civil Service Manpower Statistics, Lagos, 1981.

The dominant role of the public sector vis-a-vis the private sector has been confirmed by Table 7. At both the Federal and the State levels, women employees in public corporations account for 15 per cent of all employees. The private sector has been reluctant to carry the heavy burden of high female employee ratio.

In order to enhance the status of women in society and increase their participation in all professions, many associations have been established in the country. Coincidentally, the National Council of Women's Societies is currently marking its silver jubilee anniversary. Other such associations include the Association of Midwives of Nigeria, Nursing and Midwifery Council of Nigeria, Nigerian Association of University Women, Nigerian Association of Women Accountants, Nigerian Association of Media Women and the Federation of Women Lawyers. All these associations are organised by female employees.

CONSTRAINTS

With the best of intentions on the part of Government, there are certain factors which militate against the employment of women about which the relevant Government Ministry seems able to do very little. These factors include customary attitudes and beliefs, the attitude of employers and the issue of sexual harrassment of women at work. Women who resist these advances are victimised. There is also some psychological resistance to female bosses. Women of child-bearing age are discriminated against due to absenteeism. Again, there is the issue of education. In the past, the male child was educated in preference to the female child because the male child would remain and perpetuate the family name while the girl was given out in marriage. Happily, these traditional and attitudinal barriers are gradually being broken down, giving way to a situation where all children male and female alike, are given equal educational opportunities. Girls and women now graduate in all areas which hitherto were the exclusive preserve of men. Our women even participate in trade union leadership. There is a women's chapter of the Nigerian Labour Congress. An influential member of the Nigerian Employers' Consultative Association has urged, in a recent paper, that to achieve women's full integration into the labour force, Nigerian women should do two things:

> (a) decide early enough either to be a life-long career women, that is to say, not marry at all, or have children early enough and return to work when the children are old enough; and
>
> (b) oppose all protective labour laws which could easily turn discriminatory, and also in this wise, reject all special treatment for the female criminal.

There is merit in the suggestion, except to re-echo Mrs Leticia Shahani's views in her opening speech to the World Conference of Women in Nairobi that society should recognise that maternity is a distinct and essential social function which can only be performed by women and therefore deserves full recognition and requires specific support. Only by heeding Mrs Shahani's advice shall we realise the lofty ideals of section 17(3)(e) of the 1979 Nigeria Constitution which enjoins the State to direct its policies towards ensuring that

> "there is equal pay for equal work without discrimination on account of sex or on any other ground whatsoever."

Article 12 - WOMEN AND HEALTH CARE

Article 12 of the Convention calls on States Parties to take all appropriate measures to eliminate discrimination against women in the field of health care, in order to ensure for men and women equal access to health care services including those related to family planning.

This Article in addition calls on States Parties to ensure to women appropriate services in connection with pregnancy, confinement and the post-natal period, granting free services where necessary as well as adequate nutrition during pregnancy and lactation.

WOMEN AND HEALTH CARE

Section 17(3)(c) and (d) of the Constitution of the Federal Republic of Nigeria 1979 (which section relates to social objectives) provides as follows:-

"The State shall direct its policy towards ensuring that-

(c) the health, safety and welfare of all persons in employment are safeguarded and not endangered or abused;

(d) there are adequate medical and health facilities for all persons."

In addition to that constitutional injunction, Nigeria subscribes to and holds dear the philosophy of the World Health Organisation's commitment to Health For All By The Year 2000 since that philosophy also holds that-

"peoples have the right and duty to participate individually or collectively in the planning and implementation of their health care including mass involvement of women, men and youth."

Consistent with this constitutional injunction and social commitment, it is the goal of the National Health Care System to pursue a mission aimed at providing a comprehensive health care system for preventive, protective restorative and rehabilitative services as a right of every citizen of the country. In the overall planning strategy for the enhancement of women in the Nigerian society, the health care delivery policy has devoted special attention to health hazards peculiar to women, especially those related to child bearing.

A review and appraisal of the progress made in the four areas specified above (especially as they pertain to women) will indicate that during the Decade and since the entry into force of the Convention in Nigeria, the Following programmes have been instituted or where they existed before, have been expanded and improved upon, that is to say:

(a) Environmental Sanitation
(b) Communicable Disease Control
(c) Maternal Health Service
(d) School Health Service
(e) Child Health Service
(f) Immunization, especially the Expanded Programme on Immunization (EPI); and the Oral Rehydration Therapy (ORT);
(g) The Family Planning and Counselling Programme; and
(h) Public Health Care at the Grassroots.

(a) Environmental Sanitation.-Data show that there has been a considerable improvement in our environmental sanitation habits and awareness. This is reflected in the general beauty of the Urban and Rural Areas leading to the decrease in certain diseases that are heavily dependent on poor sanitation. In this wise, the last Saturday of every month has been declared a National Environmental Sanitation Day, during which everyone is enjoined to clean his surroudings. Cases of the malaria disease have dropped from 1,471,561 in 1982 to 1,273,092 in 1983. The figures for the year after 1983 are not immediately available but the trend suggests that reported malaria cases may be well below the 1 million mark this year.

(b) Communicable diseases.-Communicable diseases like chicken pox, sexually transmitted diseases and infective hepatitis have not decreased.

(c) Maternal Health Service.-Maternal Health Services seem to have had some positive impact during the past decade. It is estimated that the number of women in the reproductive age group (15 to 44 years old) is about 20 per cent of the

total population. 1985 figures from the National Office of Statistics show that about 19,225,600 women are in this age bracket. This works out at about 25 per cent of the total population being catered for in this health subsector. All objectives under the health care delivery system overlap. But most pertinent to women and Health Development in Nigeria as elsewhere, are those associated with child birth (Parental Diseases). These include Birth Injuries, Prematurity and Parental Infections (including tetanus Neonatarum) Anaemia of Pregnancy, Toxemia of Preganancy, obstructural labour and Post Partu Haemarrhage). These together account for a significant number of deaths among women.

(d) Immunization.-Active efforts are being made to immunize all children and the Expanded Immunization Programme (EPI) launched in the country in 1984 has assisted tremendously towards the realisation of this objective. Some of the constraints in the achievement of total success in the immunization programme include scarcity of trained personnel and non-availability of adequate refrigeration thus soon rendering the vaccines inactive and stale.

(e) School Health Services.-School Health Services have not been developed as fully as it should. Hopefully, by the year 2,000 health services would be available in all schools in Nigeria. At the moment, most schools have skeletal school clinics to deal with minor ailments during school hours.

FAMILY PLANNING

Since the last year, concerted effort on the part of the Planned Parenthood Federation of Nigeria is noticeable to make people aware of the need for family planning. They are encouraged to have children because they need them and not just for the fun of doing so. There is public enlightenment campaign in this regard by way of radio and television jingles. Recently, the Federal Government announced its intention to ban men of and above the age of 60 years from having children. Again, some big-time employers have resorted to distributing condoms to their male employees. There is a family planning clinic virtually within the reach of everyone in the urban area, giving family planning services (pills and IUDS) at affordable prices. This aims at containing a threatening population explosion as well as improving the quality of lire of the woman and consequently her family. There is no overt policy directive denying family planning services to unmarried women, even though certain sections of the society still frown deeply at pregnancy out of wedlock and this drives the unmarried pregnant woman to terminate same with the attendant risks.

HEALTH MANPOWER

Data show that the total number of all health care delivery personnel and Institutions in Nigeria have greatly increased in number over the past decade. While the total current picture of Women and Health Development in Nigeria does not seem to have improved statistically, there is the feeling that some progress has been made. The infrastructures in terms of manpower and facilities continue to increase and the will of Government to provide Health For All by the Year 2,000 remains undaunted. In meeting this target however, great imagination will be needed to identify, analyse and find the benefits of the entry points of the Primary Health Care which is the backbone of Health For All by the Year 2000. The role of women's organisations in assisting Government at her entry points should not be underrated. But perhaps more important is the machinery needed to transform and execute the Nation's Health Care programmes. In this regard, the Soroptimist International of Lagos, the Inner Wheel Chapter of Lagos and the Zonta International have taken it upon themselves to give monthly health talks to market women (traders) at the markets, as their grassroot efforts to achieve Health For

All By The Year 2000. The talks usually focus on hypertension, (described as the silent killer), over-use of drugs, drunkenness, poor working habits, anxiety and fear. After each talk, the blood pressure of each woman present is taken and those with blood pressure problems are reffered to hospitals for treatment.

On her part, Government has mobilized and sent into the field all medical officers who up until now were performing purely administrative office jobs. They are all now engaged in the prosecution of Government's health care policy at the grass-roots. The Federal Ministry of Health has also, in demonstration of its sincerity of purpose, made a separate and specific budgetary allocation to women's health care needs in the 1985-86 fiscal year, particularly at the grassroots.

Article 13 - CREDIT FACILITIES

States are enjoined to take all appropriate measures to eliminate discrimination against women in other areas of economic and social life in the following areas:

(a) right to family benefits

(b) Right to bank loans, mortgages and other forms of financial credit.

(c) the right to participate in recreational activities, sports and all aspects of cultural life.

RIGHT TO FAMILY BENEFITS

There is not in operation in Nigeria, any organised or regular Government Scheme of family or social benefits. Accordingly, women cannot be singled out for any special or discriminatory treatment in this sphere of life.

However, section 17 of the constitution has laid the foundation for the elimination of discrimination whenever such a scheme is introduced, for the said section 17 provides as follows:-

"Social Objectives. 17.-(1) The State social order if founded on ideals of Freedom, Equality and Justice...

(3) The State shall direct its policy ensuring that-

(a) all citizens without discrimination on any ground whatsoever have the opportunity for securing adequate means of livelihood as well as adequate opportunities to secure suitable employment.

(g) provision is made for public assistance in deserving cases or other conditions of need."

It is clear from paragraph (g) that regardless of sex, if a situation arises which calls for help to be rendered to any class of citizens, it will be done. Such could be the case where there has been natural disasters, droughts, famine, flood, etc.

ACCESS TO CREDIT

There is no apparent Government policy specifically in favour of women in the grant of credit. This is perhaps because Commercial and Merchant Banks are private sector organisations who are simply profit oriented. They usually deal with their customers on their individual merit and credit worthiness. If a customer has a good credit standing, the fact that she is a woman does not work against her. It is recognised that women who are credit-worthy in their own rights are very few. Some smaller finance houses do sometimes require that the consent of a woman's husband be obtained before she is granted a loan. This is not always an easy feat to accomplish. Another factor militating against women is inability to provide adequate collateral for loans. In this regard, it is worthy to mention the recently-introduced Federal Government agricultural loan scheme under which farmers are granted loans up to N5,000 without collateral. While applauding the good intentions of the scheme, it should be pointed out that the small farmers whom this scheme is intended to benefit are rural dwellers. There, the greatest number of beneficiaries are bound to be the men.

There is therefore need in this sphere for greater effort or deliberate Government policy to make loans available to deserving women. The opportunities to secure bank loans and other credit facilities for their business and other viable projects.

PARTICIPATION IN SPORTS

Section 17(3) of the 1979 Constitution (which concerns social objectives) provides as follows:-

> (3) The State shall direct its policy towards ensuring that-
>
> (a) all citizens without discrimination on any ground whatsoever have the opportunity for securing adequate means of livelihood and that there are adequate facilities for leisure and for social, religious and cultural life."

This provision has found the fullest expression in Nigeria. Women are granted the same opportunity for participating in every imaginable kind of sports and to represent their schools, Local Governments, States and the country in those sports in which they excel. There are women wrestlers in Nigeria. There are female golfers, women participate in hockey. They play handball. Recently, female soccer was introduced into the country's sporting arena.

In the cultural arena, Nigerian women have a great deal of rythm in them and this has been exploited to its fullest and to the country's pride.

It is therefore stressed that in the field of sports and cultural affairs, Nigerian Women have, with the tacit encouragement of the various Governments, really come into their own.

Article 14 - WOMEN IN AGRICULTURE - RURAL WOMEN

States Parties shall take into account the particular problems faced by rural women and the significant roles which rural women play in the economic survival of their families, including their work in the non-monetized sectors of the economy and shall take all appropriate measures to ensure the application of this Convention to women in the rural areas.

2. State Parties shall take measures to eliminate discrimination against women in rural areas and that they participate in and benefit from the right-

(a) to participate in the elaboration and implementation of development planning at all levels;

(b) to have access to adequate health care facilities, including counselling and services in family planning;

(c) to benefit from social security;

(d) to obtain all types of training and education, formal and non-formal, also functional literacy;

(e) to organise self help groups and cooperative to enhance self employment;

(f) to have access to agricultural credit loans,....equal treatment in land and agrarian reform;

(g) to enjoy adequate living conditions, particularly in relation to housing, sanitation, electricity, water supply, transport and communications.

AGRICULTURE

About 70 per cent of the Nigerian population are engaged in agriculture which provides the population with staple foods and industrial raw material for factories in Nigeria. Nigeria, like other African countries, has a large number of peasant farmers, who mostly live on the farm and depend on it for their daily bread, using outmoded methods and implements. Prior to independence in 1960, agriculture was the greatest earner of revenue for the couutry but it has now lost its lead as a revenue earner to other sectors of the economy notably, the petroleum industry. At present, agriculture accounts for just 5 per cent of total exports. Growth in the agriculture sector has been slow, averaging one per cent per year since 1970. As a result, the proportion of foodstuff which had to be imported rose from about 7 per cent to 15 per cent. There is however a brighter prospect for the agriculture sector as both the States and Federal Governments are determined to give it prime position in their budgetary allocations. The 4th development plan of the country (1981-85) set a target of 5 per cent growth in the out-put of the agricultural sector.

WOMEN IN AGRICULTURE IN NIGERIA

In Nigeria, rural women play a vital role in the production, preparation and distribution of food supplies, but until recently, past development plans and efforts did not recognise women's contribution in the agriculture sector. Most of the past national development plans did not include any programme for the effective training and participation of women in agricultural production, storage, marketing and processing of farm produce. It is against this background that the Home Economics Division of the Federal Ministry of Agriculture and Rural Development

are scattered all over the country. The operational arm of the Department of Agriculture and Rural Development is the National Advisory Committee on Home Economics (NACHE) and the States Home Economics Advisory Committees. The National Advisory Committee formulates programmes and provides overall national guidance while the State Committees adapt and execute the programmes in accordance with their respective needs. The main plank of the effort of the Home Economics Division toward ensuring the integration and effective participation of rural women in agriculture and rural development can be expressed in the following objectives:

(a) To identify and evolve programmes which would enhance the well-being of women and children, particularly in rural areas;

(b) To contribute to the participation of women and inspire them to play a marked role in self development activities;

(c) To ensure that the family has basic needs that make life worth living, these include knowledge, suitable accommodation, use of leisure, joy and the appreciation of nature and art;

(d) To help rural women to improve the nutrition of their families and communities through increased food production, increased and improved preservation and storage of foods at farm level;

(e) To plan with families on how to make the best use of the resources available to them;

(f) To acquaint women with elementary technical skills and knowledge related to small-scale industries and modern equipment related to their work;

(g) To encourage a more efficient marketing of farm produce and whenever possible to expand their options and income-generating potentials;

(h) To set out policy matters as they relate to Home Economics Development.

Towards the achievement of these objectives, the Home Economics Division has embarked on the following projects:

(i) The establishment of Multi-purpose centres for rural women;

(ii) Appropriate Technology Project;

(iii) Home Economics Extension.

It is pertinent here to mention that in the selection of projects, emphasis has been placed on highly visible projects and investments which have the potential for immediate results or reward. Perhaps it is necessary to throw more light on the projects set up by the Home Economics Department:

(a) Multi-Purpose Centres.-The Multi-Purpose centres project established in 1981 was designed to provide a teaching and support centre for extension services to rural women. These centres have been constructed in the rural areas of 7 States in the Federation. It is hoped that the project will eventually be extended to all the 21 States making up the Federation of Nigeria. The centres are equiped with the following facilities-

(a) Day-care centres to support working rural women.

(b) Home Economics Laboratory for demonstration and workshops.

(c) Rural Technology Unit.

(d) Co-operative shop for display of craft on completion and workshop for training. Each multi-purpose centre is administered by the local community to serve that community and surrounding areas.

RURAL TECHNOLOGY PROJECT

Rural women in Nigeria have not benefited from modern technology because such technology are either too expensive or too complex. The Rural Technology Project aims at assisting rural women to effectively cope with their various tasks by introducing low-cost simple technology applicable to their situation. These are termed "Resource Cells" or agencies liaising with other Federal Department- and institutions especially University Research Institutes to develop rural or village technology. These technologies serve to reduce the drudgery in many household chores, facilitate food production, preservation, processing and prevent post-harvest food losses.

HOME ECONOMICS EXTENTION

Extension Services to Rural Women Farmers.-Since its inception, the Home Economics Division has participated in programmes directed at the formation of viable rural women's groups and by providing financial and technical support for the execution of programmes embarked upon by such groups. The overall objectives of the programme is to improve the women's income-generating and decision-making skills.

Mobile Home Economics Units.-The Unit is an indispensable extension service with its complements of audio-visual equipment, electricity generating sets and kitchen utensil for field demonstrations on varieties of food preparation from indigenous food items. This unit, manned by an extension staff is loaned free on request to State Governments for extension demonstration and for audio visual purposes.

TRAINING PROGRAMMES FOR RURAL WOMEN

One of the probems of extension services to rural families especially to rural women is the shortage of trained personnel who would live and work among rural families. Women leaders and Home Improvement volunteers are grassroot workers because they have the greatest contact with the target group. Unfortunately they are few in number and most of them have not received any formal training. The Home Economics Department has assisted in funding and providing technical assistance in collaboration with relevant State Ministries on the training of rural women leaders and home improvement volunteers in various States of the Federation.

COMPOSITE BREAD PROJECT

As part of the efforts of the Federal Government of Nigeria to discover new uses for local food resources, a composite bread bakery has taken off in Lagos and when fully established, this project will be extended on small-scale basis to the other 20 States of the Federation. This project is designed to use flour of grains grown in Nigeria to supplement imported wheat flour. Thus, it is expected that there will be a reduction in wheat flour importation and a consequent save on foreign exchange.

PROBLEMS

The Nigerian Agricultural Policy neither discriminates against women nor makes any special intervention on their behalf. However, the Federal Government is aware of the significant role that women play in agriculture and rural development, hence the initiation of the projects listed above. The Government is similarly aware of the constraints to the achievement of the National Policy on Agriculture which constraints include-

(a) the activities of other sectors of the economy which have depressed, rather than complement the agricultural sector. In this regard, the most significant factor is the ever-increasing rural-urban migration of rural labour;

(b) inadequacy of necessary agricultural imputs. In this regard, even where farm imputs are available, the logistic constraint of getting them to the farmer in the quantity, quality, time and place required and at reasonable prices tend to limit their use and usefulness;

(c) inadequacy of supporting physical infrastructure such as feeder-roads, storage and marketing facilities. In some localities these facilities are lacking;

(d) a major constraint is the quality of labour that is engaged in agricultural production. As a result of this, it is conceivable that even though imputs may be made available to farmers, they may not be efficiently used. This calls for better education of farmers, a problem which the extension services discussed above seeks to redress. The problems highlighted above are clearly noticeable in Government's present efforts to improve the performance of the agricultural sector; and the Agricultural Development Programme of the Government is designed to eliminate the problems.

SOLUTIONS AND STRATEGY

The main objectives of Nigeria's agricultural development is to achieve a rapid increase in food production with the attainment of a 4 per cent growth rate and, the achievement of self-sufficiency in food by 1985 and the evolution of approriate institutions to facilitate the realisation of the country's agricultural potentials. Experience has shown that despite Government's direct production efforts, the small farmers still produce about 80 per cent of the country's production output. It is therefore expedient that Government should assist them in a big way to maximise their production. The emphasis now is a shift in development strategy in favour of the small-holder farmer. Government therefore now lays great emphasis on the provision of production imputs to farmers and the general improvement of the rural areas and the overall rural development through the establishment of agro-based industries, the construction of feeder roads, the provision of housing, educational and health facilities, water and electricity in the rural areas in order to improve the quality of rural life.

This new approach tagged "Integrated Rural Development" is the crux of the strategy for Agricultural Development in

Nigeria. The Integrated Rural Development approach would in the main be implemented through programmes christened the Agricultural Development Projects (ADP) and the Accelerated Development Area Programme (ADA) as well as through the activities of the various River Basin Development Authorities. The newly established Directorate of Food, Roads and Rural Infrastructure is to co-ordinate the activities of the various Rural Development Bodies towards a systematic and uniform rural development programme.

Finally, it is the policy of Government that the River Basin Development Authorities should participate directly in the development of irrigation schemes for the benefit of the small farmers and for the enhancement of potable water supply to the rural areas. It is also the policy of government to resettle and pay adequate compensation to those displaced by Government irrigation projects. This compensation covers loss of crop and property.

DIRECTORATE FOR FOOD, ROADS AND RURAL INFRASTRUCTURE

In addition to the foregoing a Directorate was set up to cater exclusively for the interests of the rural population of this country. As its name suggests, its main function is to encourage by means of money and agricultural imputs, the increase in production of stapple foods and grains, the construction and rehabilitation of feeder roads for the effective evacuation of farm produce.

The construction and rehabilitation of small scale facilities like oil palm press, the acquisition of basic skills in farm produce preservation and the production of potable water and construction of dams for irrigation. Electrification of rural areas is also included in the Directorate's portfolio. It is hoped that with the realisation of the objectives for setting up the Directorate, the tedium of rural life will be ameliorated and the drift to urban areas will thereby be stemmed.

Article 15 - CIVIL CAPACITY

This Article enjoins States Parties to accord to women equality with men before the law. Accord to women equality in civil matters and legal rights with men before the law. The article calls on States to abrogate all private instruments which restrict the right of women. It further calls on States Parties to accord to men and women the same right to chose their residence and domicile.

Even before the launching of the International Decade for Women, successive Nigerian Governments have been committed to building an egalitarian society where every Nigerian, irrespective of age, sex or creed enjoys equal rights, the benefits and opportunities enshrined in the Constitution. Our social development policies and programmes have always been directed at the improvement of the quality of the life of the individual, irrespective of sex. Section 17 of the Constitution, among other things provides-

"Social Objectives

17.-(1) The State social order is founded on ideals of Freedom, Equality and Justice.

(2) In furtherance of the social order-

(a) every citizen shall have equality of rights, obligations and opportunities before the law.

(b) the sanctity of the human person shall be recognised and human dignity shall be maintained and enhanced."

With the signing and ratification by Nigeria in June 1985 of the Convertion on Elimination of All Forms of Discrimination Against Women, Nigeria has become even more determined to remove those obstacles which impede the participation of women in full National development efforts.

PROPERTY RIGHTS

Except under customary law which varies from place to place, women's rights in Nigeria to own property is not legislatively hampered. Infact, all State Governments in Nigeria treat married women as unmarried for the purpose of allocation of land and Government-built low cost houses. Under customary law, a woman has no right to her husband's property or income except the right to support. But under section 70 of the Matrimonial Causes Act 1970, a wife of a monogamous marriage who is in a better financial position than her husband, could be ordered, upon the dissolution of the marriage, to maintain him and the court will order financial relief in favour of the husband. In all customary law systems, the wife has no right to her hsuband's estate when the marriage is terminated by divorce. Under most customary law systems in Nigeria, perhaps the views of a renown Justice of the Supreme Court of Nigeria will summarise the plight of women-

> "Under some of our native laws, a woman has no right to a share in the inheritance of the estate of her father. The worst degrading aspect is that she is treated as a chattel forming part of her husband's estate to be inherited by his heirs..... Then on widowhood, she is subjected to such degrading treatment as if she had caused her dear partner's demise."

Article 16 - MARRIAGE AND MATRIMONIAL CAUSES

Article 16 enjoins States Parties to take all approriate measures to eliminate discrimination against women in all matters relating to marriage and family relations and in particular, to ensure on a basis of equality of men and women:

(a) the same right to enter into marriage;

(b) the same right to freely choose a spouse and to enter into marriage only with their free and full consent.

(c) the same rights and responsibilities during marriage and at its dissolution;

(d) the same rights and responsibilities as parents, irrespective of their marital status, in matters relating to their children - the interests of children being paramount;

(e) the same rights to decide freely and responsibly the number and spacing of their children and the access to information, education and means to exercise those rights.

(f) the same right and responsibilities with respect to guardianship, wardship, trusteeship and adaption of children, or similar institutions where these concepts exist in national legislation, the interests of children being always paramount.

(g) The same personal right as husband and wife, including the right to choose a family name, a profession and an occupation;

(h) the same rights for both spouses in respect of the ownership, acquisition, management and administration and disposition of property.

(i) The betrothal and marriage of a child shall have no legal effect and all necessary action shall be taken to specify a minimum age for marriage; and to make registration of marriages in an official registry compulsory.

MARRIAGE-FAMILY LAW RIGHTS

In Nigeria, there is a multiplicity of marriage patterns depending on ethnic or religious grouping. Marriage is therefore considered essential to the completeness of an adult man or woman, with the result that unmarried adults are looked upon as incomplete, immature and often not responsible. The marriage types recognised in Nigeria are-the monogamous, that is, marriage conducted in accordance with the Marriage Act, a mixture of religious marriage and statutory marriage, marriage under the customary law and marriage under the Islamic Religion. Accordingly, Nigeria falls into that class of countries in which customary, religious and civil law marriages operate side by side. This plurality arises because of Nigeria's colonial association with Britain, and the Marriage Act (Cap 115) is patterned after the English Marriage Act. The form of marriage to be conducted in respect of any person is a question of personal choice. However, one notices great mobility on the part of men in the sphere of marriage in spite of the existing law of bigamy, (an offence committed by superimposing the customary form of marriage upon a statutory form of marriage or vice versa with a different "bride"). Pure polygamy, that is the marriage of several wives all under customary or Islamic religious law, is legal and recognised. What is not recognised or permitted by law is the admixture of the three forms with two of more different women.

The authority in the home is the monopoly of the man. The first and primary unit of socialization is the family. Therefore, any attack on discrimination against women must honestly attack cultural and structural inhibitive factors inherent in the primary unit. However, the general attitude is that a family problem that needs to be settled by the Court must necessarily break the family and make enemies of both parties in the dispute and their extended families. Women have been conditioned that as mothers and wives, it is their primary responsibility to preserve the family at all cost. No degree of suffering should warrant the need for court intervention. Customary law and usage have encouraged this attitude by such provisions that make a woman's adultery (but not a man's) grounds for divorce. Again, in traditional society, a woman is treated as a chattel, to be bought and sold, discarded at will, inherited and disposed of with other property upon the death of her husband and without her consent.

It is believed that a lot of injustice is perpetrated because many women are unaware of their rights and the few who are aware do not know how to protect such rights. In Nigeria, many legal rights are made unenforceable by customary and traditional practices. It is therefore necessary to make women appreciate their legal rights and the structural impediments to the enjoyment of those rights.

To redress these ills, a pilot legal project on Family Law has been set up by the Nigerian Institute of Advanced Legal Studies. Inter alia, the Pilot Family Law Project aims at imparting the knowledge of their family law rights to women and having done so, it aims at ensuring the opening of awareness for the enjoyment of those rights. The thrust of the project is to make women themselves feel the need for change and understand such necessity and so make them both collectively and individually participate in programmes directed at effecting those changes.

There is also a crying need to codify the various customary marriage and religious marriage laws in order to secure more fully the sanctity of the family unit. The National Council of Women's Societies is already doing that through its law and status of Women Committee.

Such reforms are directed at-

(a) registration of all marriages;

(b) uniformity in the marriage age (16 for boys and girls with the consent of both parents, 18 for boys and girls with the consent of either parent and 21 years without consent); and

(c) a drastic reduction in the bride price.

There is great need for public enlightenment in the area of marriage and family law.

PROPERTY RIGHTS

Except under customary law which varies from place to place, women's rights in Nigeria to own property is not legislatively hampered. Infact, all State Governments in Nigeria treat married women as unmarried for the purpose of allocation of land and Government-built low cost houses. Under customary law, a woman has no right to her husband's property or income except the right to support. But under section 70 of the Matrimonial Causes Act 1970, a wife of a monogamous marriage who is in a better financial position than her husband, has a duty, upon the dissolution of the marriage, to maintain him and the court will order financial relief in favour of the husband. In all customary law systems, the wife has no right to her husband's estate when the marriage is terminated by divorce. Under most customary law systems in Nigeria, perhaps the views of a renown Justice of the Supreme Court of Nigeria will summarise the plight of women-

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family planning clinic virtually within the reach of everyone in the urban are, giving family planning services (pills and IUDS) at affordable prices. This aims at containing a threatening population explosion as well as improving the quality of life of the woman and consequently her family. There is no overt policy directive denying family planning services to unmarried women, even though certain sections of the society still frown deeply at pregnancy out of wedlock and this drives the unmarried pregnant woman to terminate same with the attendant risks.

ADOPTION LAWS

Adoption of children by childless couples, single, parents or purely on humanitarian considerations is yet not a very widely accepted concept. However in the Southern States, there are adoption laws under which persons who are considered fit and proper may adopt children who are either abandoned or born by women or girls who are ill-prepared to raise them. Priority is given to childless couples even though single or unmarried women are known to adopt children. The law itself does not discriminate but one notices that the discretion of the administrative officer in charge counts a great deal.

CONCLUSION

Nigerian women have come a long way from the shackles of tradition where even parents were almost ashamed at the birth of a female child. Nigerian women have made their marks in many occupations. The laws of Nigeria have given adequate protection to the rights of women in the society, including their rights to equal educational opportunities and employment. The Nigerian woman has not always enjoyed equal rights with their men but in the last few years attempts have been made to give redress. Many obstacles have been in the way. Inspite of suffrage, inspite of the constitutional provisions guaranteeing equal rights, women are still far from fully securing them. The public sector enterprises have provided the impetus which has shot Nigerian women to their present height on the labour scene. In the private sector, one notices that only women outside the child bearing age are accorded recognition or appointed to senior management positions. Though women have competed favourably with men in the quality of their contribution to national development in public and private enterprises through their employed positions, they still lag far behind the men in numbers. The achievement of the full potentials of Nigerian women requires continuous co-ordinated efforts and the commitment of government, the public and private sector enterprises, as well as the women themselves.

LAGOS, NIGERIA

23 OCTOBER, 1987.